

From: (b) (6)
To: (b) (6)
Subject: RE: FOIA Request ICO (b) (6)
Date: Friday, December 11, 2020 9:01:00 AM

Good morning Sir,

Yes, I have received your email.

V/R,

(b) (6)
Base Adjutant Admin Chief
Marine Corps Base Hawaii
808-257-8812

If you would like to do an ICE comment on my service, please go to the link below:
https://ice.disa.mil/index.cfm?fa=card&sp=112847&s=340&dep=*DoD&sc=1

From: (b) (6)
Sent: Thursday, December 10, 2020 7:52 PM
To: (b) (6)
Cc: (b) (6)
(b) (6)
Subject: [Non-DoD Source] Re: FOIA Request ICO (b) (6)

Hi (b) (6),

Due to the nature and importance of this matter, we kindly request that you confirm receipt of my email below.

Best regards,

(b) (6)
Senior Legal Counsel | | Anduril Industries
(b) (6)

This email (including any attachments) includes trade secrets or privileged or confidential commercial or financial information of Anduril Industries, and may be subject to specific contractual licenses or data rights under applicable laws. It qualifies for protection under Exemption 4 of the Freedom of Information Act and is being submitted voluntarily by Anduril with an expectation of continued confidentiality, and should not be used or disclosed in any way that is not expressly authorized by Anduril.

From: (b) (6)
Date: Thursday, December 10, 2020 at 3:01 PM

To: (b) (6)

(b) (6)

Cc: (b) (6)

(b) (6)

Subject: Re: FOIA Request ICO (b) (6)

Hi (b) (6)

In lieu of any amplifying information regarding the FOIA request, we must claim Exemption 4 under the FOIA for the entire Anduril Lattice Web User Interface Guide. The Guide contains “trade secrets and commercial or financial information obtained from a person [Anduril] that is privileged or confidential”. Each page of the Guide, aside from the title page, contains specifications and information pertaining to our proprietary Lattice software system, all of which is intended for the sole use of the Government.

In addition, there is also information in the Guide that discloses USMC enterprise network information (the URL of the MCB Hawaii instance) which may fall under other Exemptions, but that can be further explored by Government counsel.

Given that the entire Guide qualifies for Exemption 4, it cannot be disclosed to the requesting party.

Please don't hesitate to get in touch with any additional questions.

Best regards,

(b) (6)

Senior Legal Counsel | | Anduril Industries

(b) (6)

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From: (b) (6)

Date: Thursday, December 10, 2020 at 12:38 PM

To: (b) (6)

(b) (6)

Cc: (b) (6)

(b) (6)

Subject: Re: FOIA Request ICO (b) (6)

Hi (b) (6)

Based on the description, we fully expect the information described in the request to include information covered by relevant exemptions, and releasing it without an opportunity to review will reveal that protected information to our competitors and cause harm to our business. We would therefore ask for (1) every specific documents, screenshots, etc. that you are planning to release to the public that mention Anduril or its products, services, or personnel (one document was shared on another thread, upon our request – are there others?); and (2) more than one day to review them for exemptions and provide our suggestions for redactions. Depending on volume, we can review all documents within 2-3 business days of receiving them.

As a bit of feedback, we are involved in numerous FOIA requests, including with the USMC, and this is the first time we've been sent one with no clear materials to review and a one-day turnaround.

(b) (6)

General Counsel || Anduril Industries

(b) (6)

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From: (b) (6)
To: (b) (6)
Cc: (b) (6)
Subject: [Non-DoD Source] Re: Submitter Notice ICO FOIAonline Request #2021-001840-Anduril
Date: Monday, December 28, 2020 1:43:30 PM

Thank you for the notice, this entire record is covered by exemption 4, as it is a non-public technical guide to our law enforcement and security platform that is never made public and includes both trade secrets and non-public commercial information about our products. It is covered by our commercial data rights assertions relating to the Lattice Platform in our contract with the marines. Releasing this guide would reveal our confidential commercial information, trade secrets, and harm Anduril's business interest. Do not release it. I've copied our outside counsel who can provide additional context as necessary.

Let me know if you have any questions.

(b) (6)

Get [Outlook for iOS](#)

From: (b) (6)
Sent: Monday, December 28, 2020 3:26 PM
To: (b) (6)
Cc: (b) (6)
Subject: Submitter Notice ICO FOIAonline Request #2021-001840-Anduril

Good afternoon Gentlemen,

The Marine Corps received a request for information under the Freedom of Information Act ("FOIA") and, after conducting a search, we determined that the enclosed records are responsive to the request and must be released unless exempt from disclosure. The purpose of this email is to provide you with the opportunity to review these records and explain whether you think some or all of the information contained therein and not already marked for redaction under Exemption 4 is protected from disclosure pursuant to FOIA Exemption 4 (5 U.S.C. § 552(b)(4)). In general, Exemption 4 provides for the withholding of (a) trade secrets and (b) commercial or financial information that is privileged or confidential.

If you think any additional information in the enclosed record is exempt from disclosure pursuant to Exemption 4, please respond via email by no later than the date specified below and provide the following:

1. Identify the specific information that you think is exempt because it is either (a) a trade secret or (b) confidential commercial or financial information by marking it for redaction with a yellow highlighter (do not "black out" or obscure the text). If you think an entire record is exempt, you can just state that.
2. With respect to any information that you think is exempt because it is a trade secret, please provide a detailed explanation as to why. General assertions without explanations are

insufficient.

3. With respect to the information that you think is exempt because it is confidential commercial or financial information, please:

a. Advise whether the information is customarily and actually kept private or closely held by your company. If the information is of a type that is typically released to investors, shareholders, the press, or made public in connection with a regulatory filing, then the information is not exempt pursuant to Exemption 4; and

b. Explain whether you or your company received an assurance of confidentiality from the Marine Corps and the basis of that belief (i.e., the circumstances under which that assurance was provided). If you have a non-disclosure agreement, written statement, or other document from the Marine Corps providing the assurance of confidentiality, please provide a copy with your response.

Please respond with the information requested above no later than 6 January 2020. If we do not receive your emailed response by that deadline, we will assume that you have no objection to the full release of the enclosed records, and the release determination will be based solely on the Marine Corps' review.

If you have any questions regarding this matter, you may call (phone number below) or email me.

V/R,

(b) (6)

Base Adjutant Admin Chief
Marine Corps Base Hawaii
808-257-8812

If you would like to do an ICE comment on my service, please go to the link below:
https://ice.disa.mil/index.cfm?fa=card&sp=112847&s=340&dep=*DoD&sc=1

From: (b) (6)

Sent: Monday, December 14, 2020 9:26 AM

To:

(b) (6)

Cc:

Subject: [Non-DoD Source] Re: FOIA Request ICO Anduril Sentry Towers

Good morning,

Thank you for the clarification. We'll standby for any further word from your office.

Best regards,

(b) (6)

Senior Legal Counsel || Anduril Industries

(b) (6)

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From: (b) (6)

Date: Monday, December 14, 2020 at 9:23 AM

To: (b) (6)

Cc:

Subject: RE: FOIA Request ICO Anduril Sentry Towers

Good morning Sir,

Understood. The Anduril Lattice Web User Interface Guide is the only document I have received. As soon as our review is complete, we will contact you.

I hope you have a good day!

V/R,

(b) (6)

Base Adjutant Admin Chief
Marine Corps Base Hawaii
808-257-8812

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From: (b) (6)

Sent: Sunday, December 13, 2020 10:41 PM

To: (b) (6)

Cc:

Subject: [Non-DoD Source] Re: FOIA Request ICO Anduril Sentry Towers

Hi (b) (6)

Thank you for your update. (b) (6) had asked previously whether the Anduril Lattice Web User Interface Guide was available for dissemination to this requestor, hence our negative answer under Exemption 4.

Are you able to confirm whether any other Anduril material is being reviewed for release under this request?

Best regards,

(b) (6)

Senior Legal Counsel | | Anduril Industries

(b) (6)

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From: (b) (6)

Date: Friday, December 11, 2020 at 4:00 PM

To:

(b) (6)

Cc:

Subject: FOIA Request ICO Anduril Sentry Towers

Good afternoon Gentlemen,

I am the FOIA Coordinator for MCBH.

Any documents submitted to me for processing will be reviewed for applicable FOIA Exemptions and your company will definitely be contacted by me and given 10 days to provide a response regarding MCBH's proposed redactions to any provided documents.

I am currently unaware of anything having been submitted to you for your review and if any documents have been, please advise if an entity within MCBH provided you any documents for review.

If you have any questions about the FOIA process, please let me know, and I will be happy to answer them.

I hope you have a good day!

V/R,

(b) (6)

Base Adjutant Admin Chief
Marine Corps Base Hawaii
808-257-8812

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Cc: (b) (6)

(b) (6)

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General Counsel || Anduril Industries

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